

Jefferson County Planning Commission
September 10, 2013

The Jefferson County Planning Commission met on September 10, 2013, with the following Commission members present: Daniel Hayes, Vice President; Gene Taylor, Secretary; Walt Pellish, Stephen Stolipher, Gary Phalen, Wade Louthan, and Bill McLeod. Staff members present included Jennifer Brockman, Director of Planning and Zoning; Seth Rivard, County Planner; Stephen Groh, Assistant Prosecuting Attorney; and Alexandra Beaulieu, Planning Clerk.

Mr. Paul Taylor and Ms. Darlene Truman were absent with notice.

Mr. Hayes called the meeting to order at 6:59 PM.

1. Approval of the minutes from the August 13, 2013 Planning Commission Meeting.

Mr. Stolipher motioned to approve the minutes. Mr. G. Taylor seconded the motion. Mr. McLeod requested the misspelling of his name on agenda item 1 be changed from *McCleod* to *McLeod*.

Mr. Stolipher amended his motion to include Mr. McLeod's edit. Mr. G. Taylor seconded the motion, which carried unanimously.

2. Citizen Communications. None.

3. Request for postponement. None.

4. Petition by Ann, James, and Ernest Hunter for a zoning map amendment to the Planning Commission for the purpose of scheduling a public hearing within 60 days. This property is currently zoned Rural and the applicant is requesting Residential-Light Industrial-Commercial zoning. This property is located on the north side of Old Route 9 (Route 115) approximately 700 feet southeast of Berkeley/Jefferson County Line. District: Middleway (07); Tax Map: 1; Parcel: 2.

Ms. Beaulieu provided copies of a letter from the applicant which stated that the applicants waived their right to a hearing within 60 days, provided a hearing was scheduled on or before November 12, 2013.

Mr. Stolipher motioned to schedule a Public Hearing for November 12, 2013. Mr. Phalen and Mr. McLeod seconded the motion, which carried unanimously.

Ms. Brockman stated that this application would be the first item for review on the November agenda after approval of the minutes and Citizens Communication.

Mr. McLeod requested clarification on the role of the Planning Commission with regard to this application. He stated that it did not appear the Planning Commission could approve or disapprove the item at this time.

Ms. Brockman stated that the Planning Commission would accept the application and schedule a Public Hearing date. Ms. Brockman added that after a hearing date was scheduled, an ad would be placed in the paper notifying the public of the request as well as the applicant would post a placard on the property notifying the public of the public hearing.

Mr. McLeod requested staff notify him when an ad was submitted to the papers for future public hearings.

5. Comprehensive Plan overview and presentation of Clay Raines' study on residential and commercial build-out.

Mr. Rivard provided an overview of the study and a Power Point presentation. The build-out focused on lots recorded in the courthouse that are unbuilt and subdivisions with vested rights to continue with their plans, but have not yet been started or finished. Mr. Rivard stated that the study included new subdivisions within the County, the City of Ranson, and the City of Charles Town.

Mr. Rivard stated that in unique circumstances, such as on the mountain, where parcels did not meet standards to be considered a buildable lot, multiple parcels would be combined to create one buildable lot. Mr. Rivard concluded the presentation stating that there are a total of 12,506 un-built lots with potential for build-out, of which 1,466 were located on the mountain.

Mr. Hayes stated that this was great information, especially with regard to writing the Comprehensive Plan. Mr. Hayes suggested that the presentation begin with the conclusion, revealing the total number of lots and progress into how the information was collected. He also suggested rounding the numbers conservatively by 2% - 5% because the totals were estimates, not concrete.

Mr. Stolipher inquired if it would be possible to determine the number of homes built per year over the past ten (10) years. Staff stated that it would be possible. Mr. Stolipher requested that information be included in the study for use in writing the Comprehensive Plan.

6. Short training presentation on major planning and zoning concepts in Jefferson County.

Mr. Rivard provided a brief Power Point presentation reviewing processes including the Conditional Use Permit and Zoning Map Amendment; the difference between a Waiver request and a Variance; and the distinction between a Major Subdivision and a Minor Subdivision.

Mr. Pellish requested an electronic copy of the Power Point Presentation.

7. Reports from Legal Counsel and legal advice to the Planning Commission.

Active Litigation:

- Far Away Farms
- Cedar Air Park – Order Denying Certiorari Petition from the Circuit Court of Jefferson County.

Mr. Groh stated that a final hearing should be scheduled next month for Far Away Farms. Mr. Groh stated that an electronic copy of a letter from the Department of Commerce had been received regarding Old Standard Quarry and that once a signed, hard copy of the letter was received it would be recorded.

8. Director's Report.

- Update on 2014 Comprehensive Plan.

Ms. Brockman encouraged Board Members to complete the Envision Jefferson online-survey. She stated that the fair was a success in that staff and volunteers were able to talk with a wide representation of the county and 199 surveys were completed as a result. She stated that 130 online surveys had been completed and that the survey would be available online for an additional two weeks. Ms. Brockman reviewed upcoming meetings, noting that the Stakeholders meeting originally scheduled for September 27, 2013 was moved to Friday, October 25, 2013.

9. Planning Commission Exchange and Liaison Reports: None.

10. President's Report. Mr. Hayes waived this item as he had not received advance notice to prepare a report.

11. Actionable Correspondence. None.

12. Non-Actionable Correspondence. None.

13. Signing of approved Motions from previous Planning Commission meetings.

Mr. Rivard stated that the motions had not been prepared and that they would be available at the next scheduled meeting for Mr. Taylor to sign.

Mr. G. Taylor motioned to adjourn the meeting at 8:06 PM. Mr. Louthan seconded the motion, which carried unanimously.